

**CALIFORNIA COASTAL COMMISSION**

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# Fri 6c

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Hearing Date: July 13-15, 2005

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-05-26

Applicant: City of Coronado

Agent: Gary Orsa

Description: Construction of a new, 2,574 sq.ft., 11'9" high lifeguard public safety service building on sandy beach.

Site: Central Beach, across from the intersection of Isabella and Ocean Boulevard, Coronado, San Diego County.

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STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff recommends approval of the project, with special conditions. The proposed building will serve as a base to support the operations of the City's lifeguard service, in conjunction with the lifeguard tower separately located on Central Beach and currently proposed for replacement and expansion (CDP #6-04-140). The lifeguard facilities have been proposed as two separate structures in order to minimize the bulk and scale of the buildings. The applicant has demonstrated that the proposed public safety building will provide a needed public service at the proposed location. Providing adequate lifeguard facilities may improve the quality of public access and recreation in the area. An extensive alternatives analysis by the City demonstrates that the structure has been sized and sited to reduce its impact on views and public access to the extent feasible. The size of the structures and the functions proposed within are comparable with other structures reviewed by the Commission. No shoreline protection is proposed for the structure, and special conditions prohibit the addition of any future shoreline protection.

Staff is recommending that the project be revised to eliminate 198 sq.ft. of decorative walls and rock outcroppings around the structure. as they are entirely ornamental, provide no function and will result in loss of additional sandy beach area. In addition, including these non-functional, ornamental structures around the building would set an adverse precedence for new development in a scenic, public recreational area.

Other conditions prohibit the placement of advertising on the structure, restrict the color and appearance of the building, require pre- and post-construction water quality BMPs, address construction access and timing, and require State Lands Commission review.

Standard of Review: Chapter 3 policies of the Coastal Act, with the certified Coronado LCP used as guidance.

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Substantive File Documents: Certified City of Coronado LCP; County Processes and Wave Runup Analyses by TerraCosta Consulting Group, Inc., 1/24/05; CDP #6-01-170; #6-LJS-05-128

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I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:**     *I move that the Commission approve Coastal Development Permit No. 6-05-26 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

### III. Special Conditions.

The permit is subject to the following conditions:

1. Revised Final Plans. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final site plans for the proposed public safety building. The final plans shall be in substantial conformance with the plans by Munroe and Orsa Architects, Inc 11/29/04, except that they shall be revised as follows:

- a) The approximately 198 sq.ft. total of rock outcroppings and associated walls and landscaping shown in concept on Exhibit #4 shall be removed. The walls on either side of the garage are permitted.

In addition, the following items shall be included as notes on the plan:

- b) Only the minimal number and size of antennas necessary to provide basic communications shall be permitted on the structure, and these shall be shielded as much as feasible;
- c) No advertising shall be permitted on the approved structure;
- d) Clocks, temperature displays, or other safety information may be located on the façade of the approved structure.
- e) Any fill material used during construction shall be clean, beach compatible material with no rubble, organics, or other debris.
- f) During construction of the approved development, disturbance to sand and intertidal areas shall be minimized to the maximum extent feasible. All excavated beach sand shall be redeposited on the beach. Local sand, cobbles or shoreline rocks shall not be used for backfill or for any other purpose as construction material.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Protection of Water Quality - During Construction. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, a Construction Best Management Practices Plan for the project site, prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts associated

with construction to receiving waters. The applicant shall implement the approved Construction Best Management Practices Plan on the project sites prior to and concurrent with the project staging, demolition and construction operations. The BMPs shall be maintained throughout the development process.

A. Said plan shall include the following requirements:

- (i) No construction materials, debris, or waste shall be placed or stored in a manner where it may be subject to wave, wind, rain, or tidal erosion and dispersion.
- (ii) Any and all refuse and debris resulting from construction and demolition activities shall be removed from the project site within 72 hours of completion of demolition and construction. Construction and demolition debris and sediment shall be removed from or contained and secured within work areas each day that construction or demolition occurs to prevent the accumulation of sediment and other debris that could be discharged into coastal waters. All demolition/construction debris and other waste materials removed from the project site shall be disposed of or recycled in compliance with all local, state and federal regulations. No debris or other waste materials shall be placed in coastal waters or be allowed to move into coastal waters. If a disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.
- (iii) No storage of mechanized equipment is allowed on the beach.
- (iv) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction and demolition activities. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean
- (v) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and kept as far away from a storm drain inlet and receiving waters as possible.

B. The required Construction Best Management Practices Plan for the project site shall also include the following BMPs designed to prevent spillage and/or runoff of construction and demolition-related materials, sediment, or contaminants associated with construction activity. The applicant shall:

- (i) Develop and implement spill prevention and control measures and shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The fueling and maintenance area shall be located as far away from the receiving waters and storm

drain inlets as possible and shall not be located on the beach if at all possible. If fueling or maintenance is proposed to be on the beach then the applicant shall submit a plan showing how there is essentially no possibility of contaminating beach materials through those operations.

(ii) Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters, and more than fifty feet away from a storm drain, open ditch or surface waters.

(iii) Provide and maintain adequate disposal facilities for solid waste, including excess concrete, produced during construction.

(iv) Provide and maintain temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence or hay bales, and silt fencing.

(v) Stabilize any stockpiled fill with geofabric covers or other appropriate cover, and close and stabilize open trenches as soon as possible.

(vi) Prior to final inspection of the proposed project the applicant shall ensure that no gasoline, lubricant, or other petroleum-based product was deposited on the beach or at any beach facility. If such residues are discovered, the residues and all contaminated sand shall be reported to the Executive Director in order to determine if the removal and disposal of the contaminated matter shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

The Construction Best Management Practices Plan approved by the Executive Director pursuant to this condition shall be attached to all final construction plans. The permittee shall undertake the approved development in accordance with the Construction Best Management Practices Plan approved by the Executive Director pursuant to this condition. Any proposed changes to the approved Construction Best Management Practices Plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**4. Protection of Water Quality - Project Design & Post Construction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a Water Quality Management Plan (WQMP) for the post-construction project site, prepared by a licensed water quality professional, and shall incorporate structural and non-structural Best Management

Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site.

The plan shall include a detailed description of how runoff from the vehicle washdown area will be collected, treated, and discharged. In addition, the plan shall be in conformance with the following requirements:

A. Water Quality Goals.

- (i) Appropriate structural and non-structural BMPs shall be designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site, without the construction of drain outlets onto the beach.
- (ii) If the applicant uses post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (iii) Runoff from all parking areas, maintenance areas, and driveways shall be collected and directed through a system of appropriate structural and/or non-structural BMPs. The filter elements shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants through filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.
- (iv) All parking areas and vehicle maintenance surfaces approved pursuant to this permit and shall be swept on a weekly basis in order to prevent dispersal of pollutants that might collect on those surfaces.

B. Monitoring and Maintenance

All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired, at the following minimum frequencies: 1) prior to October 15th each year; 2) during each month between October 15<sup>th</sup> and April 15<sup>th</sup> of each year and, 3) at least twice during the dry season (between April 16 and October 14).

- (i) Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
- (ii) All inspection, maintenance and clean-out activities shall be documented in an **annual report** submitted to the Executive Director no later than June 30th of each year. This report shall be submitted for the first three years following the completion of development.

(iii) It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification.

The permittee shall undertake and maintain the approved development in accordance with the Water Quality Management Plan approved by the Executive Director pursuant to this condition. Any proposed changes to the approved Water Quality Management Plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. Storage and Staging Areas/Access Corridors. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final plans indicating the location of access corridors to the construction site and staging areas. The final plans shall indicate that:

- a) No overnight storage of equipment or materials shall occur on sandy beach or public parking spaces.
- b) Access corridors shall be located in a manner that has the least impact on public access to and along the shoreline via Ocean Boulevard. Beach access at Central Beach shall remain open during construction.
- c) No work shall occur on the beach between Memorial Day weekend and Labor Day of any year.
- d) The applicant shall submit evidence that the approved plans/notes have been incorporated into construction bid documents. The staging site shall be removed and/or restored immediately following completion of the development.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. Exterior Treatment. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT AMENDMENT**, the applicant shall submit for the review and approval in writing of the Executive Director, a final color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed public safety building, in substantial conformance with the colored plans dated 11/29/04 by Munroe and Orsa Architects, Inc. The color of the structures and roofs permitted hereby shall be restricted to colors compatible with the surrounding

environment with no bright tones except as minor accents. All windows shall be comprised of non-glare glass.

The permittee shall undertake the development in accordance with the color board. Any proposed changes to the approved color board shall be reported to the Executive Director. No changes to the color board that result in either building taking on a substantially different appearance inconsistent with the surrounding environment shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. State Lands Commission Review. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall obtain a copy of written authorization to construct the proposed development from the State Lands Commission.

7. Assumption of Risk, Waiver of Liability and Indemnity Agreement

A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

**B. PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The restriction shall include a legal description of the applicant's entire parcel or parcels. It shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the Standard and Special Conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.



**C. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

8. No Future Bluff or Shoreline Protective Device

A. By acceptance of this Permit, the applicant agrees, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the public safety building approved pursuant to Coastal Development Permit No. 6-05-26 including, but not limited to, the building, walkway, and apron in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future. By acceptance of this Permit, the applicant hereby waives, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

B. By acceptance of this Permit, the applicant further agrees, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, that the landowner shall remove the development authorized by this Permit, including the surrounding walkways, if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The project consists of construction of a new, 2,574 sq.ft., 11'9" high lifeguard public safety service building at Central Beach in the City of Coronado. The building would be located on sandy beach approximately 70 feet northwest of the existing Central Beach restroom, up against the rock revetment that lines Ocean Boulevard, the first public roadway along the beach. The area inland of Ocean Boulevard consists of single-family residence, and the Hotel Del Coronado is located approximately 1,500 feet south of the site.

The proposed building would house the lifeguard Captain's office, shower and locker spaces for approximately 25 lifeguards of each gender, and lifeguard equipment and vehicles, including one rescue truck, one boat, several jet skis for in shore rescue and scuba, rescue boards, floats, handicapped wheelchairs for beach access.

The building would replace an existing 225 sq.ft. trailer which is currently parked next to the Beach Maintenance Facility, a small storage facility located approximately 500 feet north of the subject site across from G Street. The proposed building will have an undulating "organic" perimeter with a length along Ocean Boulevard of approximately 68 feet and a depth of 41 feet. In addition to the structure itself, the project includes construction of a concrete apron along the seaward side of the structure and a walkway

connecting the new building to the existing walkway between the stairway beach access point and the existing lifeguard tower. The new apron and walkway would cover an additional approximately 1,180 sq.ft. of sandy beach.

No shoreline protection is proposed for the building; however, the project does include several decorative walls and rock outcroppings as part of the building design. The City has indicated that these curved rock walls and rocks planted with natural grasses are intended to soften the appearance of the building.

The proposed service building is one of three new structures currently being proposed on Central and North Beach. The other two include replacement of the existing lifeguard tower located seaward of the proposed service building, and a new restroom located on North Beach (6-04-140). These applications are being reviewed by the Commission on the same agenda in order to assess the cumulative impacts of the proposed new construction on the beach.

The City of Coronado has a fully certified Local Coastal Program (LCP) and issues its own coastal development permits. However, Central Beach is operated by the City of Coronado under a lease from the State Lands Commission (Lease #PRC 3691.1). Because the site is located on State tidelands, the site is under the Commission's original jurisdiction and has been designated as such on the City of Coronado's Post-Certification and Appeals Map. Therefore, Chapter 3 of the Coastal Act is the standard of review. The State Lands Commission is currently in the process of reviewing the project for consistency with the terms of the City's lease. Special Condition #6 requires that the City submit evidence of State Lands approval prior to issuance of the permit.

2. Public Access and Recreation/Public Views. The following sections of the Coastal Act are applicable to the proposed project and state, in part:

Section 30210

In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with the public safety needs and the need to protect public rights, rights of private property owners, and natural resources from overuse.

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including but not limited to the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

### Section 30220

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

### Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas,...

In addition, Section 30604(c) requires that a specific access finding of compliance with the above policies be made for all development located between the sea and first coastal roadway. In this case, such a finding can be made.

Because of its location on the public beach, the proposed project raises concerns relating to the public's ability to use the sandy beach for recreational purposes. Typically, the use of sandy beach areas for structures or other improvements is not considered appropriate because of the importance of preserving beach area for access and recreational uses. In addition, constructing structures on the beach increases the possibility that shoreline protection will eventually be sought for the structures, which could further infringe on access and recreation opportunities (see Geologic Conditions and Hazards, below).

Finally, siting buildings on the beach can block public views and change the character of the natural beach environment. Because of the riprap lining the beach along Ocean Boulevard, there are only a few access points to the beach on this side of Coronado. The proposed project site is at the main access point, just seaward of the rock revetment, on the north side of an existing concrete walkway leading out to the City's lifeguard tower. The site is highly visible, and the area receives a great deal of traffic (mostly heading towards the water on the walkway next to the site) and a new, approximately 2,574 sq.ft., 11'9 high (maximum) building will be very prominent from the beach.

The City has indicated that the purpose of the proposed service building is to provide a meeting point and staging area for emergency operations, storage facilities for lifeguard equipment, and sanitary facilities for the lifeguards. These functions were originally proposed to be located at the new lifeguard tower (currently being reviewed by the Commission as CDP #6-04-140). However, based on community input, the City determined that this would result in an unnecessarily bulky lifeguard tower, and thus, these functions were relocated to the proposed public safety service building.

Currently, the various functions proposed at the site are scattered in different locations, such as the storage trailer on the beach at G Street, or are not available at all. The City has expressed its desire to centralize beach operations on site to improve lifeguard operations and public safety. As described by the City, the primary purpose of the

service building is to support the operations of the lifeguard service. The lifeguard tower serves as a command and control platform for the daily operations, while the service building will serve as a base for those operations. City lifeguards have indicated that apparatus/equipment room is the most important feature of the service building because it houses the emergency vehicles and rescue equipment that are used in lifesaving operations. Under normal operations, the trucks used by the lifeguards are out patrolling the beach. Kept at the ready are the personal water craft and rescue boat which in cases of hazardous surf or complicated resources would be available for immediate use. In order to mount a timely rescue effort, this equipment must be centrally located at the beach.

The City notes that providing showers, locker rooms and restrooms for the lifeguards will allow the lifeguards to meet their personal needs and be prepared to do their job. Lifeguards are exposed to temperature extremes, contaminates water, dangerous pathogens, and other environmental hazards. They need to have a place to decontaminate, wash, and warm themselves, keep extra uniforms and personal gear, and a place to change. Male and female lifeguards need their own facilities to maintain privacy and avoid bottlenecking a staff of 30 at one bathroom. Although there are only 2 permanent, year-round lifeguards, on a summer weekend, the City may be fully staffed and have need for all of the lockers. However, to keep the building small, showers and toilets are sized for a capacity of four to five people at one time.

There would also be a concrete apron around the building, including a driveway approximately 30 feet wide by 20 feet deep. The City has indicated that the primary purpose of the apron is to provide a paved area in front of the building to clean lifeguard vehicles and equipment before storing them in the building. The length of the driveway is to allow lifeguard vehicles to park completely off the sand. During normal lifeguard operations, sand adheres to the under carriage of the vehicles. If the sand is not washed off daily, the vehicles will deteriorate substantially more quickly than they already do under beach/ocean circumstances. Runoff from the washdown area will be collected at a drain(s) and filtered through a grease and sand trap prior to being discharged into the sewer system (see Water Quality, below).

The City has indicated that even if the driveway was eliminated, the area directly in front of the garage would not be available or appropriate for recreational use by the public. The lifeguards operate 7 days a week and 365 days a year, and there will always be lifeguard activity at this location during daylight hours.

The City explored several alternatives to the proposed building. The building was originally designed to be approximately 30% larger at 3,358 sq.ft. rather than the proposed 2,578 sq.ft. The building was proposed to have three bays for vehicles and boats. This has been reduced to two by allowing the Lifeguard Captain, who is on call 24 hours a day, to take his vehicle home. The original building also had a staff training/break room. That function was eliminated from the propose design, and classroom training will be done in a conference room offsite. The City's position is that

the building has only what is necessary for day-to-day operations and to mount immediate effective rescue efforts.

The size of the proposed building is within the range of comparable facilities being built or contemplated by other cities. The combined lifeguard facilities being proposed by the City of Coronado include the 2,574 sq.ft. subject safety building, and the 1,050 sq.ft lifeguard tower currently under review by the Commission as CDP #6-04-140, for a combined total of 3,624 sq.ft. In September 2002, the Commission approved construction of a 4,303 lifeguard/garage/public restroom building in Pacific Beach (CDP #6-01-170) to replace an existing lifeguard station . In May of this year, the City of San Diego approved a 1,485 sq.ft. lifeguard station and 650 sq. ft. detached garage to replace an existing lifeguard station in an appealable location in La Jolla (the project was not appealed). Each of these development included similar facilities to those proposed in this application. The Commission is currently reviewing a request for a new 3,125 sq. ft. three story lifeguard station at South Mission Beach to replace the existing station (CDP #6-05-17). Thus, the structure does not appear to be oversized for the proposed uses.

The City also looked at alternatives to the proposed location on Central Beach. Central Beach was chosen for two main reasons: it's proximity to the lifeguard station, and the ability to minimize the visual impact of the structure. For the same reason the lifeguard station is located near the busiest part of the part of the beach, the City has indicated that, like a fire station, the lifeguard facilities should be located central to the area of need, and the proposed location is roughly in the center of the 1.7 miles of beach covered by City lifeguards.

It has been suggested that since most of the lifeguard equipment is deployed onto the beach during the day in any case, the service building could be located offsite, and the trucks and other lifeguard equipment moved to Central Beach daily. However, the City has indicated that not all of the equipment is deployed daily, and that having the rescue boats and personal watercraft offsite would delay rescue times. The service building provides a central location to stock and resupply patrol vehicles during day, and it is expected that lifeguards will be able to regularly walk between the tower and the service building, improving efficiency. In addition, emergencies can occur at any time of day or night. If an emergency occurs off hours, the City feels that having a central location on the beach to assess the situation and retrieve the necessary equipment will reduce response time and improves the chance of a successful rescue. In addition, since the service building is intended to function as a command and control platform for the daily operations of the lifeguards, it is important that the facility be located near the City's existing and proposed permanent lifeguard tower on Central Beach.

Although the proposed site is operationally superior, the City did look at alternative locations on the beach to minimize the visual impact of the project. The building has been designed to be the minimum height necessary to accommodate the height of the lifeguard trucks. The trucks are usually four-wheel drive vehicles with roof racks to carry rescue boards and radio antennae. Since the locker rooms do not require as tall a ceiling, the roof line on that portion of the building will be lowered approximately 9 to 12

inches. As noted, the building was originally proposed be located adjacent to the lifeguard tower, but this alternative was rejected as too visually prominent. Other locations analyzed include at the G Street maintenance shed; south of the existing Central Beach restrooms; North Beach; and south by the Hotel del Coronado. The main advantage of the subject site over these alternatives is that this location has one of the greatest distances between beach elevation and the top of the Ocean Boulevard revetment, and as such, the proposed building will be less visible from surrounding streets than it would be at other points on the beach.

At a maximum of 11'9" in height, the building will not be entirely hidden by the revetment. When no cars are parked along Ocean Boulevard, a small portion of the top of the building will be visible from Ocean Boulevard, and the sidewalks and street across from Ocean Boulevard. However, views of the ocean will still be available from the sidewalk on the seaward side of Ocean Boulevard over the building, and the building will be less visible at its proposed location than it would elsewhere on the beach. The proposed building will be approximately 9 inches shorter than the existing restrooms.

While there will not be any view blockage of the ocean from the street level, as one descends the stairs to access the beach adjacent to the proposed service building, the building will block existing views of Point Loma for a short distance. However, to address this concern and minimize other view concerns, the building has also been tucked back against the existing revetment as far as possible (There will be a couple of feet between the structure and the revetment to ensure that the building does not encroach into the buried toe of the revetment). Views will still be available from the walkway seaward of the structure. There are already structures on the beach near the subject site, including a concrete walkway, the lifeguard tower (currently proposed for replacement) and the restrooms on the south side of the walkway, so the proposed project will not be the first encroachment on a pristine beach.

The entire exterior of the building would be clad in the same color rocks as the existing riprap, so that from the beach looking back, the building will blend into the background of the rocks. There will be security lighting on the building; however, the City has indicated that the lighting will have cut-off lenses to direct the lights down and reduce light pollution. Only minimal radio antennas will be utilized. The City's community design review commission required that the concrete apron around the building be finished with a decorative or stamped finish, which will further reduce the visual impact of the development.

Central Beach and North Beach, (adjacent to Central Beach to the north), are broad sandy beaches totaling more than one-half mile in length, and even during the highest tides there is generally several hundred feet between the beach stairway and the water. Even at that, it would be inappropriate to site commercial uses such as snack stands or bait shops on sandy beach that would otherwise be available for public uses. But the City has shown that the proposed public safety service building will provide a valuable public service that could not be effectively or adequately provided at an offsite location. The

alternative analysis demonstrates that the proposed location will both maximize the effectiveness of the building and minimize visual impacts.

With one exception, the building has been designed to be as small as possible while still serving its function. The project does include several decorative walls and riprap-like rock outcroppings as part of the building design. There are walls on either side of the vehicle garage doors, which the Coronado Design Review Commission suggested be added to give a three dimensional quality to the driveway area and partially hide the apparatus room doors except when viewed straight on. In addition, there is approximately 198 square feet of rock outcroppings with small curved walls divided into seven areas around the building. The City has indicated that these curved rock walls and rocks planted with natural grasses are not shoreline protective devices, but are visual features intended to soften the appearance of the building.

As noted above, the area around the driveway is not available for public use in any case. The walls proposed adjacent to the driveway will not take up additional beach area or substantially change the appearance of the building, other than to screen the garage doors. In contrast, the 198 sq.ft. of rock outcroppings will take up beach area that would otherwise be open. Because of the impacts to public access, recreation, and visual quality, development on the beach should always be the minimum necessary to accomplish the purpose of the development. Accessory features that sprawl onto the beach should be avoided whenever possible. Adding what would be, in affect, non-functional, ornamental riprap around the building would set an adverse precedence for new development in a scenic, public recreational area. Riprap is the dominant visual background to the structure, but riprap is not a scenic, natural feature that should be encouraged or expanded. The rock would also increase the amount of pervious surfaces proposed, which is not encouraged for water quality reasons (see Water Quality, below).

Finally, adding superfluous features like rock and landscaping simply encourages the perception of the structure as a permanent, unmovable development. As is discussed below, under Geologic Conditions and Hazards, the proposed building does not, and should not require shoreline protection. If necessary, under extreme circumstances, the uses accommodated in this structure could be accommodated elsewhere and this building removed and the area returned to public beach use. The presence of excessive structures on the sand could deter that relocation process.

Therefore, Special Condition #1 requires revised final plans showing the elimination of the proposed rock outcroppings and walls. The condition also prohibits the placement of advertising on the structure, and requires that if there is soil importation, then it should be clean, beach compatible material with no rubble, organics, or other debris.

The beach is a heavily utilized recreational amenity, and construction activities during the busy summer months when beach attendance is at its greatest demand would significantly impact public access at this location. Special Condition #4 restrictions construction activities from occurring during the peak beach use season (from Memorial Day through

Labor Day). The condition also requires that the accessway at Central Beach remain open throughout construction.

In summary, in this particular case, there is sufficient evidence that the proposed public service building will serve a substantial public need. As conditioned to remove the proposed rock outcroppings, the subject proposal will not represent a significant decrease in the area of sandy beach available to the public. Providing adequate lifeguard facilities may improve the quality of public access and recreation in the area. The structure has been sized and designed to accommodate only the minimum amount of services needed in this location, which will minimize impacts on public access and recreation, and views from and along the beach. Recreational impacts will be minimized by prohibiting construction during summer. Therefore, as conditioned, the proposed project can be found consistent with the public access, recreation, and visual protection policies of the Coastal Act.

3. Geologic Conditions and Hazards. Section 30235 of the Coastal Act states, in part:

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

In addition, Section 30253 of the Coastal Act states, in part:

New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs...

In general, new development cannot be found consistent with geologic hazards and the public access and recreation policies of the Coastal Act if it would require the construction of shoreline protective devices of any form that would impact public beach access and recreation. Specifically, new development should not require the construction of shoreline protective devices on public beach.

The City is not proposing a seawall or piers for the proposed building. Although as described above, the services and functions of the public safety building are most effectively and efficiently provided at the proposed location, unlike the lifeguard tower currently being reviewed by the Commission (CDP #6-04-140), the proposed building *can* be located further landward. The structure has been located as far inland as



possible, and given the width of Coronado's beaches, is unlikely to be damaged by waves or storm action. The wave runup analysis submitted with the project indicates the site is likely to be subject to wave action only during extreme storm events. If, however, beach conditions were ever to change so drastically that in order to maintain the structure, shoreline protection such as riprap or other permanent armoring that could impact coastal resources was required, the structure could, and should be relocated. If the beach were ever so narrow that the building was subject to regular wave action, providing open beach area would likely be a higher priority than non-essential lifeguard facilities, and at that point, beach use would probably have lessened considerably, reducing the need for lifeguard support facilities.

Therefore, Special Condition #8 requires the City to waive all rights to construct shoreline protection for the building. If the building is threatened in the future, the City should consider removal and relocation of the building a feasible alternative to the construction of shoreline protection.

Although the Commission finds that the proposed building has been designed to minimize the risks associated with its implementation, the Commission also recognizes the inherent risk of shoreline development. The building may at some point be subject to wave action. Thus, there is a risk of damage to the structure or damage to property as a result of wave action. Given that the applicants have chosen to construct the structure despite these risks, the applicants must assume the risks. Accordingly, Special Condition #7 requires that the City acknowledge the risks associated with the development and that indemnifies the Commission against claims for damages that may be brought by third parties against the Commission as a result of its approval of this permit.

The proposed public safety building will improve the beach-going experience for visitors. The structure has been sized and located appropriately to maximize its effectiveness and minimize encroachment on the beach and adverse impacts to public access and recreation and shoreline sand supply. As proposed and conditioned, the building will not require or result in additional beach encroachment in the future for shoreline protection. Therefore, as conditioned, the proposed project can be found consistent with the shoreline protection policies of the Coastal Act.

4. Water Quality. The following sections of the Coastal Act are applicable to the proposed development and state:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

### Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

### Section 30232

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Sections 30230, 30231 and 30232 of the Coastal Act require that marine resources be maintained, enhanced, and restored in a manner that will sustain the biological productivity of all species of marine organisms in coastal waters, and that the biological productivity and water quality of coastal waters be maintained and restored by controlling polluted runoff.

The proposed public safety building would be located directly on the beach. There is the potential for both construction and post-construction impacts to water quality. Pollutants such as sediments, toxic substances (e.g., grease, motor oil, heavy metals, and pesticides), bacteria, and trash and particulate debris are often contained within urban runoff entering via the storm water system or directly into the ocean. The discharge of polluted runoff into the ocean would have significant adverse impacts on the overall water quality of the ocean.

Construction activities may have an adverse effect on water quality in a number of ways. For example, the storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain, surf, tide, or wind would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of machinery not designed for use in coastal waters may result in the release of lubricants or oils that are toxic to marine life. Sediment discharged to coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, Special Condition #2 outlines construction-related requirements to provide for the safe use and storage of construction materials and the safe disposal of construction debris.

This condition requires the applicant to submit a Construction Best Management Practice Plan. In addition, Special Condition #2 requires the implementation of Best Management Practices designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity prior to the onset of construction. Such measures include, in part, proper handling, storage, and application of petroleum products and other construction materials; maintaining and washing equipment and machinery in confined areas specifically designed to control runoff; and stabilizing any stockpiled fill with geofabric covers or other appropriate cover.

The proposed project will result in an increase in impervious surfaces. As conditioned to remove the proposed rock outcroppings, the subject proposal will not represent a significant decrease in the area of sandy beach available to the public. Nevertheless, water runoff at the site currently sheet flows onto the beach and into the ocean. The discharge of these pollutants to coastal waters can cause cumulative impacts that reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Because the project includes construction of a vehicle washoff area, the City has proposed that runoff from the washdown area be collected at a drain(s) and filtered through a grease and sand trap prior to being discharged into the sewer system. However, because the City has not developed a final design for this BMP, Special Condition #3 requires the incorporation of Water Quality Management Plan designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site. The Water Quality Best Management Plan requires the implementation of appropriate Best Management Practices for the project, which must include a detailed description of the proposed rinse-off drain collection system. The amount of additional impervious surface created by the proposed development is fairly small, so the condition allows the applicant to select structural BMPs, non-structural BMPs, or some combination of both. Critical to the successful function of any post-construction structural BMPs in removing pollutants in storm water is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small in scale. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost. Therefore, any post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.

Special Condition #3 requires that all BMPs be operated, monitored, and maintained for the life of the project and at a minimum, any structural BMPs shall be inspected, cleaned-out, and when necessary, repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15<sup>th</sup> and April 15<sup>th</sup> of

each year and, (3) at least twice during the dry season. Debris and other water pollutants removed from filter device(s) during clean-out shall be contained and disposed of in a proper manner. Special Condition #2 also requires the applicant to dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit. The Commission's water quality staff have reviewed the project and the special conditions and determined that as conditioned, the project will protect marine resources and coastal waters.

Therefore, as conditioned to comply with construction related requirements, dispose of all debris at an approved disposal site, incorporate and maintain Best Management Practices during construction and after construction, and forbid the use of structures containing petroleum based material, the proposed project can be found consistent with the water quality provisions of the Coastal Act.

5. Local Coastal Planning. The City of Coronado has a certified LCP and has assumed permit-issuing authority for the majority of the City, all of which is in the coastal zone. The site of the subject proposal, however, is located in an area that is subject to the Commission's original permit jurisdiction because it is located on public trust lands. Thus, Chapter 3 of the Coastal Act is the standard of review. The subject site is designated "beach" in Coronado's certified LCP. As discussed above and as conditioned, the proposed lifeguard service building can be found consistent with this designation. Therefore, the Commission finds the proposed development will not prejudice the ability of the City of Coronado to continue implementation of its certified LCP.

6. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

As previously discussed, the proposed project will not cause significant adverse impacts to the environment. The project, as conditioned, is consistent with the shoreline protection, public access, recreation, visual protection and water quality policies of the Coastal Act. As conditioned, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.